

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CARL WILSON, an individual,
and AUDREE WILSON, an
individual,

Plaintiffs,

v.

HARPERCOLLINS PUBLISHERS,
INC., a Delaware corporation,

Defendant.

Case No. CIV 94 892 JC

DECLARATION OF DEBORAH DROOZ IN
SUPPORT OF PLAINTIFFS'
MEMORANDUM IN OPPOSITION TO
DEFENDANT HARPERCOLLINS' MOTION
FOR SUMMARY JUDGMENT

I, DEBORAH DROOZ, declare:

1. I am an attorney at law duly licensed to practice before all courts of the State of California and am a principal of the law firm of Langberg, Cohn & Drooz, formerly known as Langberg, Leslie & Gabriel, attorneys of record herein for Plaintiffs Audree Wilson and Carl Wilson. The matters set forth in this declaration are known to me of my personal knowledge, and if called as a witness, I could and would competently testify to them.

2. From late August 1992 until November of that year, I engaged in a series of telephone conversations and exchange of correspondence with HarperCollins' attorney Michael E. Martin.

Those conversations concerned the book "Wouldn't It Be Nice", purportedly by Brian Wilson with Todd Gold, the hardcover edition of which was published in October 1991.

3. The purpose of our discussions was two-fold. First, I was responding to HarperCollins' request that we provide it with a list of specific passages from the book which contained false and defamatory material regarding our clients Carl and Audree Wilson. Second, I was attempting to negotiate an agreement whereby HarperCollins would delete some or all of the offending material from its proposed paperback edition of the book.

4. During the course of our negotiations, Mr. Martin agreed, on behalf of HarperCollins, to delete numerous complained-of passages, including the portions of the book relating to Carl Wilson's alleged insensitivity to Brian Wilson's physical and mental health, and his alleged objection (also stemming from his alleged indifference to Brian's physical and emotional condition) to Dr. Landy's fees.

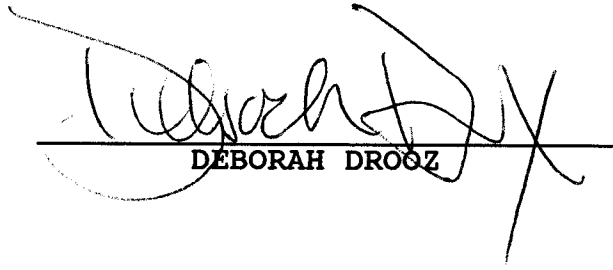
5. Mr. Martin also agreed that HarperCollins would delete many of the defamatory statements which falsely portrayed Audree Wilson as failing to intercede on her son's behalf while flagrant child abuse occurred in her presence, and falsely depicted her as having a serious drinking problem.

6. My discussions with Mr. Martin came to an end in November of 1992 when he advised me that HarperCollins had decided against publishing a paperback edition of the book. Although I requested that Mr. Martin continue our discussions on the issue of the harm already sustained as a result of the

publication of the hardback edition, he did not respond to this request.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 26th day of September, 1995, at Los Angeles, California.



DEBORAH DROOZ